

## SENATE BILL NO. 460

INTRODUCED BY STORY, ZINKE, J. PETERSON, R. BROWN, BARKUS, MCGEE, BALES, LAIBLE,  
HINKLE, BRENDEN, BLACK, ESP, TUTVEDT, BRUEGGEMAN, GEBHARDT, LEWIS, SHOCKLEY, KERNS,  
SALES, MCGILLVRAY, KASTEN, HOLLANDSWORTH, D. BROWN, MENDENHALL

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR A FEDERAL ECONOMIC STIMULUS PROGRAM  
OVERSIGHT COMMISSION; PROVIDING FOR MEMBERS AND DUTIES; AND PROVIDING AN IMMEDIATE  
EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**NEW SECTION. Section 1. Economic stimulus program oversight commission.** (1) There is an  
economic stimulus program oversight commission.

(2) The commission is composed of 13 members. The members are appointed as follows:

(a) two members of the house of representatives appointed by the speaker, one from the majority party  
and one from the minority party;

(b) two members of the senate appointed by the president, one from the majority party and one from the  
minority party;

(c) three nonvoting members, one designated by each member of the Montana congressional delegation;

(d) two nonvoting members who are senior-level employees of the executive branch designated by the  
governor; and

(e) four members of the public representing citizens, local government, or school districts, one each  
designated by the speaker of the house, the house minority leader, the president of the senate, and the senate  
minority leader.

(3) The presiding officer of the commission must be elected by the legislative members of the  
commission.

(4) Legislative members of the commission are entitled to receive compensation and expenses as  
provided in 5-2-301 for each day actually spent on commission business. Other members are entitled to salary  
and expenses as provided in 2-18-501 through 2-18-503.

(5) The legislative services division shall provide staff assistance to the committee, and the committee

1 may receive staff assistance from the legislative fiscal division, the legislative audit division, and the office of  
2 budget and program planning. Agencies of the executive branch shall provide information on the receipt and  
3 expenditure of federal economic stimulus program funds upon request. The commission may contract for  
4 expertise in the areas necessary to provide adequate oversight of state governmental processes. The  
5 commission may request specific audits from the legislative audit committee.

6 (6) For the purposes of [sections 1 and 2], "federal economic stimulus program funds" means any funds  
7 received by the state pursuant to the American Recovery and Reinvestment Act of 2009 of the 111th congress.

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9 **NEW SECTION. Section 2. Commission oversight duties -- agency reporting.** (1) The commission  
10 shall provide oversight on the distribution AND USE of any federal economic stimulus program funds ~~and the~~  
11 ~~implementation of program expenditures.~~

12 (2) ~~The~~ IN ORDER TO ENSURE THAT THE STIMULUS MONEY IS BEING USED EFFECTIVELY AND EFFICIENTLY, THE  
13 duties of the commission may include BUT ARE NOT LIMITED TO the following:

- 14 (a) evaluating the coordination of projects within the state;  
15 (b) determining if the ~~criteria developed for setting priorities are~~ LEGISLATIVE INTENT IN FUNDING THE  
16 PROJECT IS being followed;  
17 (c) determining the adequacy of public notice and opportunity for comment and input;  
18 (d) determining the transparency in bidding and the contracting process;  
19 (e) ~~determining~~ EVALUATING THE IMPLEMENTATION AND the maintenance of integrity of the programs; and  
20 (f) determining the extent to which duplication and waste is prevented.

21 (3) At the time a budget amendment to appropriate federal economic stimulus program funds is  
22 submitted as provided in 17-7-402(4), the amendment must be submitted to the commission. A state agency that  
23 receives federal economic stimulus program funds that is required to report on the funds shall forward a copy of  
24 the report to the commission.

25 (4) The commission may act as a clearinghouse for all aspects of the economic stimulus program and  
26 provide a website to foster greater accountability and transparency. The website must provide:

- 27 (a) materials explaining the economic stimulus program to citizens;  
28 (b) data on relevant economic, financial, and grant information provided to the commission;  
29 (c) links to federal and state government websites that contain information on opportunities for citizen  
30 participation and input; and

1 (d) any other information that the commission considers relevant.

2 (5) The commission shall prepare a final report of its findings and conclusions based on its duties. The  
3 commission shall submit the final report to the legislative finance committee, the legislative council, and the  
4 legislative audit committee.

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6 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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8 NEW SECTION. **Section 4. Termination.** [This act] terminates upon full expenditure or reversion of  
9 the federal economic stimulus funds and fulfillment of all reporting requirements.

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